

**AFFIDAVIT OF ROBERT P. GELLER**

STATE OF MICHIGAN

COUNTY OF OAKLAND

1. My name is Robert P. Geller, and the facts asserted herein are based on my own personal knowledge.

2. I proffer this Affidavit in support of Plaintiff Thomas E. Underwood's Motion for Class Certification in Underwood v. Carpenters Pension Trust Fund - Detroit and Vicinity Pension Plan ("Plan"), No. 2:13-cv-14464 (Hon. Lawrence P. Zatkoff, Senior U.S. District Judge) ["the Underwood Class Action"].

3. I received my undergraduate degree from the University of Michigan (A.B. with distinction) in 1977. I also hold a Master of Arts degree in Political Science which I received from the University of Michigan in 1979.

4. I received my law degree from the Boston University School of Law in May of 1982.

5. I practiced law as a litigator for two (2) years before accepting a position with the United States Agency for International Development (US AID), a United States government agency that sponsors and funds development projects in underdeveloped countries. I worked for US AID in Mogadishu, Somalia as the assistant to the Management Officer/Contracting Officer of the US AID mission in

Somalia. I was primarily responsible for negotiating and drafting contracts for services provided by United States business entities in connection with development projects sponsored by US AID. All such contracts were governed by the Federal Acquisition Regulations, and it was my responsibility to ensure compliance with such regulations.

6. I returned to the private practice of law in 1986 and have since specialized in business law and commercial and ERISA litigation. I have been a shareholder of Hertz Schram PC (formerly known as Hertz, Schram & Saretsky, P.C.) for twenty-one years.

7. Prior to the Underwood Class Action, I was intimately involved in the following class actions for benefits under a pension plan, all but one of which [number 13 below] was governed by ERISA:

List No.	Case Name
1	<u>Zimmer v. Henry House, Inc.</u> , No. 1:95-CV-318 (W.D. Mich.)
2	<u>Ramsey v. Amfac, Inc.</u> , No. C-95-4317 CAL (N.D. Cal.)
3	<u>McElwaine v. U.S. West, Inc.</u> , No. CV-96-00214-WDB (D. Az.)
4	<u>White v. Employee Retirement Plan of Amoco Corp. and Participating Cos.</u> , No. 96 C 4298 (N.D. Ill.)
5	<u>Lyons v. Georgia-Pacific Corp. Salaried Employees Retirement Plan</u> , No. 97-CV-0980-JOF (N.D. Ga.)
6	<u>Wimbush-Bowles v. GTE Service Corp. Plan for Employees' Pensions</u> , No. 98-0598-CIV-T-25 (M.D. Fla.)
7	<u>Gromala v. Royal &amp; Sun Alliance</u> , No. 01-72196 (E.D. Mich.)

8	<u>Crosby v. Bowater Incorporated Retirement Plan for Salaried Employees of Great Northern Paper Inc.</u> , No. 1:01-CV-683 (W.D. Mich.), and No. 1:05-CV-3478 (N.D. Ill.)
9	<u>Hampton v. Henry Ford Health System Pension Plan</u> , No. 04-70221 (E.D. Mich.)
10	<u>Humphrey v. United Way of the Texas Gulf Coast</u> , No. H-05-758 (S.D. Tex.)
11	<u>Stewart v. AT&amp;T Inc.</u> , No. 5:07-cv-318-H (W.D. Tex.)
12	<u>Stewart v. AT&amp;T Inc.</u> , No. 5:08-cv-272-H (W.D. Tex.)
13	<u>Fitzpatrick v. Michigan Public School Employees' Retirement System</u> , No. 06-1694-AA (Ingham County Circuit Court)

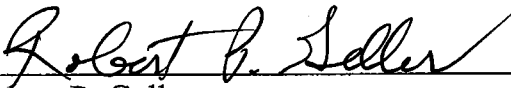
8. I oversee and supervise the firm's ERISA practice section and, in that capacity, edit briefs and other pleadings, argue motions for summary judgment, participate in other hearings, and participate in all material matters relating to the firm's ERISA class actions.

9. I am admitted in, and a member in good standing of, the State Bar of Michigan, the United States District Courts for the Eastern and Western Districts of Michigan and the Northern District of Illinois, the United States Courts of Appeals for the Sixth, Ninth and Eleventh Circuits, and the United States Supreme Court.

10. I have also been admitted to practice pro hac vice in the United States District Courts for the Northern District of Georgia, the Middle District of Florida, the Southern District of Texas, the Southern District of Ohio, the Western District of Texas and the Northern District of California.

11. If I am asked, I can document all facts asserted in this Affidavit.

Signed 2-3, 2014.

  
Robert P. Geller